

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53573 of 2021

Arising Out of PS. Case No.-126 Year-2020 Thana- ISUAPUR District- Saran

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DHARMENDRA KUMAR RAI @ DHARMENDRA KUMAR SON OF
GULAB RAY RESIDENT OF VILLAGE- DHAMA PARSA, P.S-
ISUAPUR, DIST- SARAN (CHAPRA)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Ms.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Isuapur P.S.Case No. 126/2020, registered for the offence punishable under Sections 420, 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 2398.68 liters of illicit liquor from a truck, which was seized from a petrol pump. The name of the petitioner has transpired in the present case upon the police having received secret information that



the petitioner was also dealing in illicit liquor.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 28.6.2021. The learned counsel for the petitioner has referred to paragraph no. 7 of the present petition to submit that the petitioner has got no concern either with the truck in question or the illicit liquor recovered from the said truck.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not stated to be the owner of the truck in question and he is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner on



regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge, Excise, Chapra, District-Saran in connection with Isuapur P.S.Case No. 126/2020.

(Mohit Kumar Shah, J)

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